

FRIDAY, FEBRUARY 19, 1999

At 9:30 a.m., the court met in the Library & Courts Building for a continuation of court calendar session.

PRESENT:           NICHOLSON, Acting Presiding Justice  
                  RAYE, Associate Justice  
                  MORRISON, Associate Justice

Bailiff: Conrad  
Calendar called.

Crim.           THE PEOPLE  
No.             v.  
C024354       KELLY HAROLD WILSON

Cause called. Sandra Gillies, court appointed counsel argued for Defendant-Appellant. John G. McLean, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

At 9:51 a.m., court recessed, until 9:30 a.m., Monday, February 22, 1999.

FRIDAY, FEBRUARY 19, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C028317 CARLOS DEWAYNE VONNER

All the enhancements are stricken. The judgment as modified is affirmed. The superior court shall prepare an amended abstract of judgment and forward it to the Department of Corrections.

DAVIS, J.

We concur: SIMS, Acting P.J.  
 RAYE, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C028193 PHILIP JAY CRAWFORD et al.

The judgment is affirmed.

NICHOLSON, J.

We concur: BLEASE, Acting P.J.  
 RAYE, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C027590 MUSTAQ ALI KAHN

The judgment is affirmed.

DAVIS, J.

We concur: SIMS, Acting P.J.  
 RAYE, J.

Civil RALPH MARTIN et al. (Not for Publication)  
 No. v.

C028403 DEPARTMENT OF CALIFORNIA HIGHWAY PATROL, ETC. et al.  
 CALIFORNIA ASSOCIATION OF HIGHWAY PATROLMEN ETC.

The judgment is affirmed.

MORRISON, J.

We concur: HULL, J.  
 PUGLIA, J.

MONDAY, FEBRUARY 22, 1999

Civil        RAMZI SADEK, et al.  
No.            v.  
C028146     BRENDA NEWTON

BY THE COURT:

Appellants' petition for rehearing is denied.

Dated:        February 22, 1999

DAVIS, Acting P.J.

At 9:30 a.m., the court met in the Library & Courts Building for a continuation of court calendar session.

PRESENT:        BLEASE, Acting Presiding Justice  
                     SIMS, Associate Justice  
                     CALLAHAN, Associate Justice

Bailiff: Rios.  
Calendar called.

Civil        FALL RIVER WILD TROUT FOUNDATION et al.  
No.            v.  
C028650     COUNTY OF SHASTA et al  
                 FALL RIVER RANCHES

Cause called Paul N. McCloskey, Jr. argued for Defendants-Appellants and Real Party in Interest-Appellant. William D. McHugh, of McHugh & Chen argued for Plaintiff-Respondents. Cammie W. Chen, of McHugh & Chen appeared for Plaintiff-Respondents but did not argued. Cause submitted..

At 10:02 a.m., court recessed. At 10:07 a.m., court reconvened with the same panel except Associate Justice Nicholson in place of Associate Justice Sims.

Crim.        THE PEOPLE  
No.            v.  
C026805     ROBERT LEE LOPEZ

Cause called. Joan Isserlis, court appointed counsel argued for Defendant-Appellant. John A. O'Sullivan, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

MONDAY, FEBRUARY 22, 1999 CONTINUED

At 10:35 a.m., court recessed. At 10:39 a.m., court reconvened with the same panel except Acting Presiding Justice Davis in place of Acting Presiding Justice Blease.

Civil            KAREN KEATING JAHR etc.  
No.                v.  
C028749        GEORGE CASEBEER et al.

Cause called. George Waters, of Olson, Hagel, Leidigh, Waters & Fishburn argued for Defendants-Appellants. Mark A. Wasser, of McDonough, Holland & Allen argued for Plaintiff-Respondent. Eric N. Robinson, of McDonough, Holland & Allen appeared for Plaintiff-Respondent but did not argue. Cause submitted.

At 11:14 a.m., court recessed. At 2:00 p.m., court reconvened with Acting Presiding Justice Sims, Associate Justice Nicholson, and Associate Justice Callahan.

Crim            THE PEOPLE  
No.                v.  
C027335        THONG VAN DO

Cause called. Robert Navarro, court appointed counsel argued for Defendant-Appellant. Brian R. Means, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

At 2:16 p.m., court recessed. At 2:25 p.m., court reconvened with the same panel except Acting Presiding Justice Davis in place of Acting Presiding Justice Sims.

Crim.            THE PEOPLE  
No.                v.  
C028617        ADAM KAY GANDY

Cause called. Susan K. Keiser, court appointed counsel argued for Defendant-Appellant. Clayton S. Tanaka, Deputy Attorney general argued for Plaintiff-Respondent. Cause submitted.

At 3:00 p.m., court recessed until 9:30 a.m., Tuesday, February 23, 1999.

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MONDAY, FEBRUARY 22, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C029697 TIMOTHY DANIEL MCCOY

The matters which defendant seeks to raise on appeal would require that he obtained a certificate of probable cause under Penal Code section 1237.5. However, he has filed no operative notice of appeal, since there is no express or implied statement of basis for an exception to certification required under California Rules of Court, rule 31(d). (See, e.g., People v. Lloyd (1998) 17 Cal. 4th 658, 663-665.)

Accordingly, on the court's own motion, the appeal is dismissed..  
 BLEASE, Acting P.J.

We concur: NICHOLSON, J.  
 CALLAHAN, J.

Civil DEL JUSTIN ROBINSON, ETC. et al.  
 No. v. (Not for Publication)  
 C030596 WORKERS' COMPENSATION APPEALS BOARD, BOARD OF  
 PUBLIC ADMINISTRATIONS, PUBLIC EMPLOYEES' RETIREMENT  
 SYSTEM et al.

The order of the Board is affirmed.

BLEASE, Acting P.J.

We concur: DAVIS, J.  
 RAYE, J.

Juvenile In re KRISTINA M., a Person Coming Under the Juvenile Court Law.  
 No. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 C030640 v. (Not for Publication)  
 WILLIAM M.

The orders of the juvenile court are affirmed.

RAYE, J.

We concur: SCOTLAND, P.J.  
 HULL, J.

Civil JOHN E. BOULDIER et al. (Not for Publication)  
 No. v.  
 C029146 STATE OF CALIFORNIA et al.

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: DAVIS, J.  
 HULL, J.

MONDAY, FEBRUARY 22, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C027439 SHANE ALAN SCHMITT

The trial court is directed to modify the judgment by (1) including therein an award of 2,745 days of presentence credit; (2) to modify the fines in accordance with this opinion; and (3) to prepare and forward to the Department of Corrections a certified copy of the amended abstract of judgment. As so modified, the judgment is affirmed.

MORRISON, J.

I concur: HULL, J.

I concur in the result, but write separately to express my views on the issues addressed in Parts I and II of this court's opinion. ...

SCOTLAND, P.J.

I concur: HULL, J.

Juvenile In re JUSTIN H., a Person Coming Under the Juvenile Court Law.  
 No. DEPARTMENT OF SOCIAL SERVICES  
 C030155 v. (No t for Publication)  
 NONA M.

The order terminating appellant's parental rights is affirmed.

MORRISON, J.

I concur: SCOTLAND, P.J.

I respectful dissent from the majority opinion ...

Neither of these provisions was complied in this case. In my view, the judgment should be reversed and the case remanded to the trial court for compliance with relevant provisions of the Child Indian Welfare Act.

SIMS, Acting P.J.

Civil THE PEOPLE (Certified for Publication)  
 No. v.  
 C030655 ONE 1984 MERCEDES 190E, LICENSE NO. 1HYY136  
 Civil THE PEOPLE  
 No. v.  
 C030654 ONE 1986 CADILLAC DEVILLE, LICENSE NO. 3DMS745  
 FRANCISCO J. SANDOVAL

The judgments are affirmed. (CERTIFIED FOR PUBLICATION)

BLEASE, Acting P.J.

We concur: DAVIS, J.  
 HULL, J.

MONDAY, FEBRUARY 22, 1999 CONTINUED

Civil            STATE FARM FIRE & CASUALTY COMPANY  
No.             v.                                 (Certified for Publication)  
C028694      GARY . PEITAK

The judgment is reversed and the matter remanded to the trial court with directions to grant Pietak's section 473, subdivision (b), motion. Appellant is awarded his costs on appeal.

HULL, J.

We concur:           DAVIS, Acting P.J.  
                                 PUGLIA, J.

Crim. THE PEOPLE (Not for Publication)  
No. v.  
C028883 FUEY WANG SAEPHANH

The judgment is affirmed.

NICHOLSON, J.

We concur:           DAVIS, J.  
                                  MORRISON, J.

Crim. THE PEOPLE (Not for Publication)  
No. v.  
C029111 ADAM MICHAEL FLYNN

The matter is remanded to the trial court to determine defendant's entitlement to presentence custody credit, if any, for time spent in a residential drug treatment program. The judgment is otherwise affirmed.

SIMS, J.

We concur; SCOTLAND, P.J.  
MORRISON, J.

Juvenile No.	In re JASMINE C. et al., Persons Coming Under the Juvenile Court Law. SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES
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C030215      v.  
DANA C.

The orders are affirmed.

SIMS, J.

We concur: SCOTLAND, P.J.  
MORRISON, J.

TUESDAY, FEBRUARY 23, 1999

103983-99

THE HONORABLE ROBERT K. PUGLIA, Retired Presiding Justice of the Court of Appeal, Third Appellate District, is hereby assigned to assist the Court of Appeal, Third Appellate District, as a justice thereof, on the following date(s):

February 24, 1999 To April 30, 1999

and until completion and disposition of all causes and matters submitted pursuant to this assignment including if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes ad matter.

Dated: February 18, 1999

RONALD M. GEORGE  
Chief Justice of California  
and Chairperson of the  
Judicial Council

Crim.

No.

C024133

THE PEOPLE

v.

TIMOTHY SCOTT LEDFORD

BY THE COURT:

Appellant's petition for rehearing is denied.

Dated: February 23, 1999

NICHOLSON, Acting P.J.

At 9:30 a.m., the court met in the library & Courts Building for a continuation of court calendar session.

PRESENT: SCOTLAND, Presiding Justice  
SIMS, Associate Justice  
DAVIS, Associate Justice

Bailiff: Conrad  
Calendar called.



TUESDAY, FEBRUARY 23, 1999 CONTINUED

Crim. THE PEOPLE

No. v.

C028276 WILLIAM ROBERT GOEHLER

Cause called. Alfons G. Wagner, court appointed counsel argued for Defendant-Appellant. David A. Rhodes, Deputy Attorney general argued for Plaintiff-Respondent. Cause submitted.

At 9:50 a.m., court recessed. At 9:55 a.m., court reconvened with the same panel except Associate Justice Morrison in place of Associate Justice Davis.

Civil THE PEOPLE EX REL. DEPARTMENT OF TRANSPORTATION

No. v.

C027406 RICHARD TRAVERO

Cause called. O. J. Solander, argued for Plaintiff-X-Defendant-Appellant. Terry J. Traktman, argued for Defendant-X-Complainant-Respondent. Cause submitted.

At 10:20 a.m., court recessed. At 10:22 a.m., court reconvened with the same panel except Associate Justice Hull in place of Associate Justice Morrison.

Civil ROBERT HENKEL et al.

No. v.

C027874 KAY T. WALLACE et al.

Cause called. Alan B. Lilli, of Bartkiewicz, Kronich & Shanahan argued for Plaintiffs-X-Defendants-Appellants. Kenneth D. Airola, of Airola and Airola argued for Defendants-X-Complainant-Respondents. Cause submitted.

TUESDAY, FEBRUARY 23, 1999 CONTINUED

At 10:42 a.m., court recessed. At 10:45 a.m., court reconvened with Acting Presiding Justice Sims, Associate Justice Davis, and Associate Justice Hull.

Civil           JEANETTE VANDENBERG et al.  
No.               v.  
C027438       PHOENIX ASSURANCE COMPANY ETC. et al.

Cause called. Marian M. Johnston, of Eisen & Johnston argued for Plaintiff-Appellants. James G. Driscoll, of Bullivant, Houser & Bailey argued for Defendant-Respondent United States Fidelity and Guaranty Company. Cause submitted.

At 11:14 a.m., court recessed. At 11:20 a.m., court reconvened with Acting Presiding Justice Davis, Associate Justice Nicholson and Associate Justice Hull.

Crim.           THE PEOPLE  
No.               v.  
C028655       MARIO RODRIGUEZ

Cause called. Deborah Tuttleman, court appointed counsel argued for Defendant-Appellant. J. Robert Jibson, Supervising Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

At 11:47 a.m., court recessed. At 2:00 p.m., court reconvened with the same panel.

Crim.           THE PEOPLE  
No.               v.  
C027319       DAVID FERNANDEZ MEDEIROS

Cause called. Kevin G. Little, court appointed counsel argued for Defendant-Appellant. Garick W. Choch, Deputy Attorney General argued for Plaintiff and Respondent. Cause submitted.

TUESDAY, FEBRUARY 23, 1999 CONTINUED

At 2:20 p.m., court recessed. At 2:24 p.m., court reconvened with Acting Presiding Justice Sims, Associate Davis, and Associate Justice Raye.

Civil           TED WILLIAMS et al.  
No.             v.  
C027863       TSAKOPOULOS INVESTMENTS et al.

Cause called. Ted Williams argued for Himself in Pro Per as Plaintiff-Appellant. Richard E. Rader, of Rader, Rader, Goulart & Gray argued for Defendants-Respondents. Cause submitted.

Crim.           THE PEOPLE  
No.             v.  
C027257       JUAN BERMUDEZ-MENERA

Cause called. April Powell-Willingham, court appointed counsel argued for Defendant -Appellant. Wanda Hill Rouzan, Supervising Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

At 3:22 p.m., court recessed. At 3:26 p.m., court reconvened with Presiding Justice Scotland, Associate Justice Sims, and Associate Justice Morrison.

Civil           JONATHAN LEVI ROSS ETC. et al.  
No.             v.  
C026415       FORD MOTOR COMPANY

Cause called. John M. Thomas, Counsel Office of the General Counsel argued for Defendant-Appellant. Donna Silver, of Stolpman, Krissman, Elber, Mandel & Katzman argued for Plaintiffs-Respondents. Barbara L. Crotch, of Pillsbury, Madison & Sutro appeared for Defendant-Appellant but did not argued. Cause submitted.

Court adjourned at 4:11 p.m., until Monday, March 22, 1999.

Crim.           THE PEOPLE                               (Not for Publication)  
No.             v.  
C030325       JULIE DALE SCHAEFER

The judgment is affirmed.

DAVIS, Acting P.J.

We concur:           MORRISON, J.  
                              CALLAHAN, J.

TUESDAY, FEBRUARY 23, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C028645 STEVEN RAY HORD

The judgment is affirmed.

SCOTLAND, P.J.

We concur: SIMS, J.  
 CALLAHAN, J.

Juvenile In re JOEL T. et al., Persons Coming Under the Juvenile Court Law.  
 No. SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN  
 C029825 SERVICES

v. (Certified for Publication)  
 EPIFANIA B.

The dspositional orders of the juvenile court are reversed. In all other respects, the judgment is affirmed. The matter is remanded with directions to the juvenile court to hold a new dispositional hearing on the supplemental petition. (CERTIFIED FOR PUBLICATION)

HULL, J.

We concur: SCOTLAND, P.J.  
 MORRISON, J.

WEDNESDAY, FEBRUARY 24, 1999

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C027909 JACK RAY DORSEY

The judgment of conviction is affirmed. The case is remanded to permit the sentencing court to exercise its discretion to impose additional terms or to strike one or more section 667.5 priors. If it strikes any such prior, it shall state its reasons for doing so.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C028655 MARIO RODRIGUEZ

The judgment is affirmed.

HULL, J.

We concur: DAVIS, Acting P.J.  
 NICHOLSON, J.

WEDNESDAY, FEBRUARY 24, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C027319 DAVID FERNANDEZ MEDEIROS

The judgment is affirmed.

HULL, J.

We concur: DAVIS, Acting P.J.  
 NICHOLSON, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C026303 ROBERT ANTONIO ACOSTA

The judgment is affirmed.

SCOTLAND, P.J.

We concur: NICHOLSON, J.  
 CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C029504 GEORGE EDWARD PAGE, JR.

The \$200 restitution fine imposed and stayed pursuant to section 1202.45 is stricken. As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment reflecting this modification and to forward a copy of the amended abstract to the Department of Corrections.

SCOTLAND, P.J.

We concur: SIMS, J.  
 MORRISON, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C027623 OZELLO ODELL JOHNSON

The trial court is directed to prepare an amended abstract of judgment deleting reference to two stayed prior prison term enhancements (Pen. Code, § 667.5, subd. (b)) and to forward a certified copy to the Department of Corrections. As modified, the judgment is affirmed.

SIMS, J.

We concur: SCOTLAND, P.J.  
 MORRISON, J.

WEDNESDAY, FEBRUARY 24, 1999 CONTINUED

Crim .THE PEOPLE (Not for Publication)  
 No. v.  
 C028624 JUAN RAMON AGUILAR

The order that defendant shall have no visitation with the child victims is stricken.. As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment reflecting this modification and to send a copy thereof to the Department of Corrections.

SCOTLAND, P.J.

We concur: SIMS, J.  
 NICHOLSON, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C027937 RICKY BOOTH

The judgment is affirmed.

NICHOLSON, J.

We concur: BLEASE, Acting P.J.  
 SIMS, J.

Civil THE People ex rel. DEPARTMENT OF TRANSPORTATION  
 No. v.  
 C027406 RICHARD TRAVERSO

The judgment is reversed with directions to the trial court to conduct further proceedings in accordance with this opinion. Traverso is to pay Caltrans's costs of appeal.

MORRISON, J.

We concur: SCOTLAND, P.J.  
 SIMS, J.

Juvenile In re SKYLAR S., a Person Coming Under the Juvenile Court Law.  
 No. SHASTA COUNTY DEPARTMENT OF SOCIAL SERVICES  
 C030107 v.  
 ROGER S.

The judgment is affirmed.

SCOTLAND, P.J.

We concur: SIMS, J.  
 MORRISON, J.

WEDNESDAY, FEBRUARY 24, 1999 CONTINUED

Juvenile In re LARRY W. III, a Person Coming Under the Juvenile Court Law.  
No. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
C030197 v. (Not for Publication)  
LARRY W.

The judgment is affirmed.

SCOTLAND, P.J.

We concur: SIMS, J.  
MORRISON, J.

Civil UNITED SERVICES AUTOMOBILE ASSOCIATION  
No. v. (Not for Publication)  
C029153 HERTZ CORPORATION

The judgment is affirmed. Defendant shall receive its costs on appeal.

SIMS, Acting P.J.

We concur: NICHOLSON, J.  
CALLAHAN, J.

Civil UNITED SERVICES AUTOMOBILE ASSOCIATION  
No. v. (Not for Publication)  
C028233 ALAMO RENT-A-CAR, INC.

The judgment is affirmed. Defendant shall receive its costs on appeal.

SIMS, Acting P.J.

We concur: NICHOLSON, J.  
CALLAHAN, J.

Civil JULIE HEGDAHL (Not for Publication)  
No. v.  
C029534 SACRAMENTO COCA COLA BOTTLING COMPANY, INC., et al.

The judgment is affirmed. Defendant Sacramento Coca Cola Bottling Company, Inc's request for sanctions for a frivolous appeal is denied. Defendants shall receive their costs on appeal.

SIMS, Acting P.J.

We concur: NICHOLSON, J.  
CALLAHAN, J.

WEDNESDAY, FEBRUARY 24, 1999 CONTINUED

Civil            ROBERT HENKEL et a.    (Not for Publication)  
No.              v.  
C027874       KAY T. WALLACE, as Co-Administrator, etc. et al.  
                    The judgment is affirmed. Defendants shall recover their costs on  
                    appea.

HULL, J.

We concur: SCOTLAND, P.J.  
SIMS, J.

Juvenile      In re ERIN E., a Person Coming Under the Juvenile Court Law.  
No.            TEHAMA COUNTY DEPARTMENT OF SOCIAL SERVICES  
C029500     v.    (Not for Publication)  
NICOLA E.

The judgment is affirmed.

HULL, J.

We concur: SCOTLAND, P.J.  
MORRISON, J.

Juvenile                      KAREN R., et al.                      (Not for Publication)  
No.                              v.  
C031246                      SUPERIOR COURT, BUTTE COUNTY  
                                    CHILDREN’S SERVICES DIVISION et al  
                                    The petitions are denied.

SCOTLAND, P.J.

We concur:            RAYE, J.  
                                 HULL, J.

THURSDAY, FEBRUARY 25, 1999

Crim. THE PEOPLE (Not for Publication)  
No. v.  
C28509 BRENDA GAIL VAZQUEZ  
The judgment is affirmed.

RAYE, J.

We concur: MORRISON, J.  
CALLAHAN, J.



THURSDAY, FEBRUARY 25, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C030117 PAUL ANTHONY JOHNSON  
 The judgment is affirmed.  
 CALLAHAN, J.  
 We concur: RAYE, Acting P.J.  
 MORRISON, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C025145 DON CORNELIOUS LIVINGSTON  
 The judgment is affirmed.  
 MORRISON, J.  
 We concur: BLEASE, Acting P.J.  
 SIMS, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C029471 ISIAH CALLINS  
 The judgment is affirmed.  
 RAYE, J.  
 We concur: SCOTLAND, P.J.  
 HULL, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C028093 SANTIAGO JIMMY CRUZ  
 The judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect defendant's five 25-year-to-life prison terms and to send a copy of the amended abstract of judgment to the Department of Corrections.  
 NICHOLSON, J.  
 We concur: DAVIS, Acting P.J.  
 CALLAHAN, J.

THURSDAY, FEBRUARY 25, 1999 CONTINUED

Crim.	THE PEOPLE	(Not for publication)
No.	v.	
C028959	LONE LUANGRATH	
	The judgment is affirmed.	
		NICHOLSON, J.
	I concur:	RAYE, J.
	I dissent. ...	
	The majority, untroubled by this law, simply ignores it.	
	BLEASE, Acting P.J.	
Crim.	THE PEOPLE	(Not for Publication)
No.	v.	
C024354	KELLY HAROLD WILSON	
	The judgment is affirmed.	
		RAYE, J.
	We concur:	NICHOLSON, Acting P.J.
		MORRISON, J.
Civil	KAREN KEATING JAHR, as County Counsel, etc.	
No.	v.	
C028749	GEROGE CASEBEER et al.	
	The judgment is affirmed.	
		CALLAHAN, J.
	We concur:	DAVIS, Acting p.j.
		NICHOLSON, J.

FRIDAY, FEBRUARY 26, 1999

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C026822 RONALD KENNETH MARTIN, JR.

THE COURT:

It is ordered that the opinion filed herein on January 29, 1999, be modified in the following particulars:

...

Defendant's petition for rehearing is denied. There is no change judgment.

FOR THE COURT:

SIMS, Acting P.J.  
 NICHOLSON, J.  
 CALLAHAN, J.

Crim. THE PEOPLE Not for Publication)  
 No. v.  
 C028459 MICHAEL JEROME IVORY

THE COURT:

It is ordered that the opinion filed herein on February 5, 1999, be modified in the following particulars:

...

Defendant's petition for rehearing is denied. There is no change judgment.

FOR THE COURT:

SCOTLAND, P.J.  
 BLEASE, J.  
 CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C026804 STEVEN SEBASTIAN McCURRY

The judgment is affirmed.

CALLAHAN, J.

We concur: BLEASE, Acting P.J.  
 DAVIS, J.

FRIDAY, FEBRUARY 26, 1999 CONTINUED

Civil        RAMONA RODRIGUEZ        (Not for Publication)  
 No.        v.  
 C027729    DENNY'S INC.

The judgment is affirmed. Denny's shall recover its costs on appeal.  
 PUGLIA, J.

We concur:        BLEASE, Acting P.J.  
                       DAVIS, J.

Crim.        THE PEOPLE        (Not for Publication)  
 No.        v.  
 C029682    LONNIE JAMES WILLIAM

The judgment is affirmed.

MORRISON, J.

We concur:        RAYE, Acting P.J.  
                       CALLAHAN, J.

Crim.        THE PEOPLE        (Not for Publication)  
 No.        v.  
 C029341    ERIC CURTIS

The judgment is affirmed.

BLEASE, Acting P.J.

We concur:        SIMS J.  
                       NICHOLSON, J.

Crim.        THE PEOPLE        (Not for Publication)  
 No.        v.  
 C028229    PETER ALLEN STELLE

The judgment (order after judgment) is reversed. Defendant is entitled to credit for the time served on the San Mateo sentence. The matter is remanded to the trial court to determine the dates of custody and the actual days served.

BLEASE, J.

We concur:        SCOTLAND, P.J.  
                       NICHOLSON, J.

FRIDAY, FEBRUARY 26, 1999 CONTINUED

Crim .THE PEOPLE (Not for Publication)  
 No. v.  
 C029586 BENJAMIN JERRY BURMLEY  
 The judgment is affirmed.  
 MORRISON, J.  
 We concur: SIMS Acting P.J.  
 KOLKEY, J.

Crim., THE PEOPLE (Not for publication)  
 No. v.  
 C028276 WILLIAM ROBERT GOEHLER  
 The judgment is affirmed.  
 SIMS, J.  
 We concur: SCOTLAND, P.J.  
 DAVIS, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C028296 GARY TAPLIN  
 The judgment is affirmed. The trial court is directed to prepare and forward to the Department of Corrections a corrected abstract of judgment.  
 MORRISON, J.  
 We concur: DAVIS, Acting P.J.  
 CALLAHAN, J.

Civil In re ESTABLISHMENT OF SACRAMENTO BULLETIN as a  
 Newspaper of General Circulation  
 No. JO-ANN W. GRACE (Not for Publication)  
 C029347 V.  
 DAILY JOURNAL CORPORATION  
 The judgment is affirmed.  
 MORRISON, J.  
 We concur: SCOTLAND, P.J.  
 CALLAHAN, J.

FRIDAY, FEBRUARY 26, 1999 CONTINUED

Juvenile NO. C030222	<p>In re DANIEL H., a Person Coming Under the Juvenile Court Law.  THE PEOPLE (Not for Publication)  v.  DANIEL H.  The judgment (order of commitment) is affirmed.  <div style="text-align: right;">RAYE, Acting P.J.</div> We concur: MORRISON, J.  CALLAHAN, J.</p>
Crim. No. C026807	<p>THE PEOPLE (Not for Publication)  v.  ROBERT WILLIAM MATTAROLO  The judgment is affirmed.  <div style="text-align: right;">SIMS, Acting P.J.</div> We concur: NICHOLSON, J.  CALLAHAN, J., J.</p>
Crim. No. C028785	<p>THE PEOPLE (Not FOR Publication)  v.  WILLIAM WESTWOOD McCLELLAN  The judgment is affirmed.  <div style="text-align: right;">CALLAHAN, J.</div> We concur: DAVIS, Acting P.J.  NICHOLSON, J.</p>
Crim. No. C028811	<p>THE PEOPLE (Not for Publication)  v.  MICHAEL DAVID ANTHONY  The restitution and parole fines are reduced to the statutory  maximum of \$10, 000 each. The trial court is directed to prepare an  amended abstract of judgment to reflect the reduction in fines and to  forward a certified cop to the Department of Corrections. As modified, the  judgment is affirmed.  <div style="text-align: right;">BLEASE, Acting P.J.</div> We concur: SCOTLAND, P.J.  NICHOLSON, J.</p>

FRIDAY, FEBRUARY 26, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)

No. v.

C028737 VERNON SCHMIDT MOORE

The judgment is affirmed.

BLEASE, Acting P.J.

we concur: SCOTLAND P.J.

NICHOLSON, J.

Civil FALL RIVER WILD TROUT FOUNDATION et al.

No. v. (Certified for Publication)

C028650 COUNTY OF SHASTA et al.

FALL RIVER RANCHES

The order is affirmed. (CERTIFIED FOR PUBLICATION)

CALLAHAN, J.

We concur: BLEASE, Acting P.J.

SIMS, J.

Juvenile In re MIRANDA A. et al., Persons Coming Under the Juvenile Court Law.

No. DEPARTMENT OF HEALTH AND HUMAN SERVICES

C029624 V.

SHEILA A.

The orders are affirmed.

MORRISON, J.

We concur: SIMS, Acting P.J.

CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)

No. v.

C028028 GARY ALEXANDER HARRIS

The judgment is affirmed.

MORRISON, J.

We concur: SCOTLAND, P.J.

HULL, J.

FRIDAY, FEBRUARY 26, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
No. v.  
C028586 BENJAMIN JERRY BURMLEY  
The judgment is affirmed.  
MORRISON, J.  
We concur: SIMS, Acting P.J.  
KOLKEY, J.

Crim. THE PEOPLE (Not for Publication)  
NO. v.  
C028276 WILLIAM ROBERT GOEHLER